

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	
	:
JOSE MEJIA,	:
	:
Plaintiff,	:
	:
22-CV-2823 (VSB)	:
-against-	:
	:
	:
KULI KULI, INC.,	:
	:
Defendant.	:
	:
-----X	

**ORDER**

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on April 5, 2022, (Doc. 1), and filed an affidavit of service on May 3, 2022, (Doc. 5). The deadline for Defendant to respond to Plaintiff’s complaint was May 12, 2022. (*See* Doc. 5.) Defendant has not appeared or responded to the complaint. On May 13, 2022, I told Plaintiff that if Plaintiff intended to seek a default judgment, he was directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than May 20, 2022. (Doc. 6.) On May 19, 2022, Plaintiff filed a Proposed Clerk’s Certificate of Default, (Doc. 7), and an affirmation in support, (Doc. 8). Plaintiff also obtained a Clerk’s Certificate of Default from the Clerk of Court. (Doc. 9.) However, Plaintiff failed to comply with the other requirements of Rule 4(H) of my Individual Rules and Practices in Civil Cases.


On May 23, 2022, I told Plaintiff that if Plaintiff intended to seek a default judgment, he was directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than May 27, 2022. (Doc. 10.) I warned, “If Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).” (*Id.*) Plaintiff did not file anything in response to my order of May 23, 2022, and to date, Plaintiff has failed to comply

with Rule 4(H) of my Individual Rules and Practices in Civil Cases.

Accordingly, this action is dismissed pursuant to Federal Rule of Civil Procedure Rule 41(b). The Clerk of Court is respectfully directed to terminate this action.

SO ORDERED.

Dated: May 31, 2022  
New York, New York

  
\_\_\_\_\_  
VERNON S. BRODERICK  
United States District Judge